

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 249-243

SHITARA, K. et al.

C# M#

DTOS Rec'd PCTPTO

12 SEP 2002

Serial No. 10/009,723

Group Art Unit: Unassigned

Examiner: Unassigned

Filed: December 17, 2001

Date: September 12, 2002

Title: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED TO  
MONOCYTE AND MACROPHAGEAssistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00  
☐ Please enter the previously unentered, filed  
☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00  
☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: Response; Copy of Notification of Defective Response (8/28/02); Copy of Post Card Receipt  
(4/12/02); Copy of Notification of Missing Requirements (2/12/02); Copy of Cover Sheet, Amendment,  
Statement and Sequence Listing (4/12/02) 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

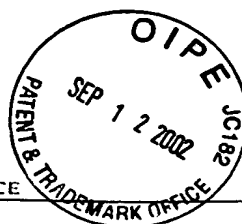
1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:plb

NIXON & VANDERHUYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,723	Kenya Shitara	249-243

INTERNATIONAL APPLICATION NO.

PCT/JP00/03957

I.A. FILING DATE

PRIORITY DATE

06/16/2000

06/17/1999

Nixon & Vanderhye  
 1100 North Glebe Road 8th Floor  
 Arlington, VA 22201-4714

CONFIRMATION NO. 6052

371 FORMALITIES LETTER



\*OC000000008695438\*

Date Mailed: 08/28/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

## DATES DOCKETED

*Response*  
 DUE Sept 28, 2002 (F)  
 C/U Sept 21, 2002  
*pat mss*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

## ■ RAW SEQUENCE LISTING ERROR REPORT

## ■ APPLICANT MUST PROVIDE:

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

## ● For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,723	PCT/JP00/03957	249-243



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

SHITARA, K. et al.

Atty. Ref.: 249-243

Serial No. 10/009,723

Group: Unassigned

Filed: December 17, 2001

Examiner: Unassigned

For: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED  
TO MONOCYTE AND MACROPHAGE

\* \* \* \* \*

September 12, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE**

Responsive to the Notification of Defective Response dated August 28, 2002, (copy attached) the applicants request clarification as to what further may be required as the Notification of Defective Response dated August 28, 2002 was received with a copy of the Sequence Listing Error Report dated January 14, 2002, which has not taken into account the applicants Sequence Listing submitted with the Amendment of April 12, 2002.

The Amendment and Sequence Listing filed April 12, 2002 were filed in response to the Notification of Missing Requirements dated February 12, 2002 (copy attached) which included the Error Report dated January 14, 2002.

A further copy of the undersigned's submission of April 12, 2002, with a copy of the Post Card Receipt from the same are attached as evidence of the previous filing. The

**SHITARA, K. et al.**  
**Serial No. 10/009,723**

Office is requested to notify the undersigned as to what further may be required and allow further time for responding to any such further requirements.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**



By: \_\_\_\_\_

B. J. Sadoff  
Reg. No. 36,663

BJS:plb  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100